

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Sep 30, 2024

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

FRASER MCDONOUGH
ROTCHFORD,

Plaintiff,

v.

CENTRAL INTELLIGENCE
AGENCY, DEFENSE
INTELLIGENCE AGENCY and
NATIONAL SECURITY
ADMINISTRATION,

Defendants.

NO: 4:24-CV-5083-TOR

ORDER DISMISSING ACTION FOR
FAILURE TO COMPLY WITH
FILING FEE OR *IN FORMA*
PAUPERIS REQUIREMENTS

Plaintiff, a prisoner at the Washington State Penitentiary, filed this *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983 on July 11, 2024. ECF No. 1. Plaintiff did not pay the filing fee to commence this action as required by 28 U.S.C. § 1914. He also failed to comply with 28 U.S.C. § 1915(a)(2), which requires prisoners who seek to bring a civil action without prepayment of the filing fee to submit a certified

ORDER DISMISSING ACTION FOR FAILURE TO COMPLY WITH FILING
FEE OR *IN FORMA PAUPERIS* REQUIREMENTS -- 1

1 copy of their inmate account statement for the six months immediately preceding the
2 filing of the complaint.

3 By letter dated July 11, 2024, the Clerk of Court advised Plaintiff that he
4 needed to provide a certified statement of his inmate account for the six-month
5 period immediately preceding the submission of his complaint on July 11, 2024.
6 ECF No. 3. Although Plaintiff supplied a six-page “Trust Account Statement” on
7 August 7, 2024, ECF No. 4, it was deficient.

8 On August 12, 2024, the Court ordered Plaintiff to submit a certified copy or
9 copies of his inmate account statement(s) (or institutional equivalent) for the six-
10 month period immediately preceding July 11, 2024, from each facility where he was
11 confined during that period. ECF No. 6 at 2–3. In the alternative, Plaintiff was
12 instructed that he may pay the full \$405.00 filing fee. *Id.* at 3. The Court cautioned
13 that failure to comply with these directives within forty-five (45) days, would result
14 in dismissal of this action. *Id.*


15 Plaintiff did not comply with these directives and has filed nothing further.
16 Accordingly, for the reasons set forth above and, in the Court’s prior Order, ECF
17 No. 6, **IT IS ORDERED** that this action is **DISMISSED WITHOUT**
18 **PREJUDICE** for failure to comply with the filing fee and *in forma pauperis*
19 requirements of 28 U.S.C. §§ 1914 and 1915. The Court certifies pursuant to 28
20

1 U.S.C. § 1915(a)(3) that any appeal of this Order would not be taken in good faith
2 and would lack any arguable basis in law or fact.

3 The Clerk of Court is directed to enter this Order, enter judgment, provide
4 copies to Plaintiff, and **CLOSE** the file.

5 **DATED** September 30, 2024.




THOMAS O. RICE
United States District Judge